

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUDGE FILIP

UNITED STATES OF AMERICA

v.

JAMES DISMUKES (aka "JD"),
MARCUS ROBINSON (aka "CK," "Cop Killer"),
TAISHA BROWNLEE,
MICHAEL EDWARDS,
JOSEPH FLEMING,
MILTON PATTERSON,
TANYA DAVIS (aka "Bonnie"), and
JAMES CROSS (aka "JC")

MAGISTRATE JUDGE DENLOW

No. 04 CR 1090
Violations: Title 21, United States
Code, Sections 846, 841(a)(1), and
843(b); and Title 18, United
States Code, Section 2

DOCKETED

MAR 11 2005

FILED

MAR 10 2005
Mar 10, 2005
MICHAEL W DOBBINS
CLERK: U.S. DISTRICT COURT

COUNT ONE

The SPECIAL MAY 2004 GRAND JURY charges:

1. Beginning no later than in or about February 2003 and continuing until in or about December 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

JAMES DISMUKES (aka "JD"),
MARCUS ROBINSON (aka "CK," "Cop Killer"),
TAISHA BROWNLEE,
MICHAEL EDWARDS,
JOSEPH FLEMING,
MILTON PATTERSON,
TANYA DAVIS (aka "Bonnie"), and
JAMES CROSS (aka "JC"),

defendants herein, conspired with each other, and with others known and unknown to the Grand Jury, knowingly and intentionally to distribute and to possess with intent to distribute controlled substances, namely, more than 500 grams of mixtures containing cocaine and more than 50 grams of mixtures containing cocaine base (in the form of crack cocaine), Schedule II Narcotic Drug Controlled Substances, in violation of Title 21, United States Code, Sections 841(a)(1), and Title 18, United States Code, Section 2.

64

2. It was part of the conspiracy that defendant JAMES CROSS obtained quantities of cocaine from various individuals including defendant TANYA DAVIS.

3. It was further part of the conspiracy that JAMES CROSS provided amounts of crack cocaine to several individuals, often on credit, including MARCUS ROBINSON, TAISHA BROWNLEE, MICHAEL EDWARDS, and others, for redistribution.

4. It was further part of the conspiracy that JAMES CROSS worked with JAMES DISMUKES in providing amounts of crack cocaine to customers.

5. It was further part of the conspiracy that MILTON PATTERSON and JOSEPH FLEMING assisted JAMES CROSS in distributing crack cocaine to customers. Among other things, FLEMING provided CROSS with a place to cook powder cocaine into crack cocaine.

6. It was further part of the conspiracy that defendants used telephones to communicate with each other and their coconspirators regarding the distribution of narcotics.

7. It was further part of the conspiracy that the defendants and their coconspirators misrepresented, concealed and hid, and caused to be misrepresented, concealed and hidden, the purpose of and the acts done in furtherance of the conspiracy and would and did use coded language and other means to avoid detection and apprehension by law enforcement authorities;

All in violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.

COUNT TWO

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about November 7, 2003, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
JAMES DISMUKES,

defendants herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about November 18, 2003, in the Northern District of Illinois, Eastern Division,

JAMES DISMUKES,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about November 20, 2003, in the Northern District of Illinois, Eastern Division,

JAMES DISMUKES,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about November 24, 2003, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about December 3, 2003, in the Northern District of Illinois, Eastern Division,

JAMES DISMUKES,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about December 9, 2003, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT EIGHT

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about December 17, 2003, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about April 30, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about May 25, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT ELEVEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about May 25, 2004, in the Northern District of Illinois, Eastern Division,

TAISHA BROWNLEE,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWELVE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 2, 2004, at approximately 5:37 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MARCUS ROBINSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Section 846, namely, conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 7, 2004, at approximately 1:12 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
JOSEPH FLEMING,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Section 846, namely, conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT FOURTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 9, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIFTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 9, 2004, in the Northern District of Illinois, Eastern Division,

TAISHA BROWNLEE,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIXTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 9, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT SEVENTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 9, 2004, in the Northern District of Illinois, Eastern Division,

TAISHA BROWNLEE,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT EIGHTEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 15, 2004, at approximately 3:17 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MILTON PATTERSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Section 846, namely, conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT NINETEEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 15, 2004, at approximately 4:24 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MILTON PATTERSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Section 846, namely, conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MILTON PATTERSON,

defendants herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT TWENTY-ONE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, in the Northern District of Illinois, Eastern Division,

MARCUS ROBINSON,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing in excess of 5 grams of cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWENTY-TWO

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, at approximately 4:49 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MARCUS ROBINSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-THREE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, at approximately 4:50 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MILTON PATTERSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-FOUR

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, at approximately 4:51 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MARCUS ROBINSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-FIVE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, at approximately 5:00 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MARCUS ROBINSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-SIX

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about June 25, 2004, at approximately 6:34 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MARCUS ROBINSON,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-SEVEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 12, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,
JOSEPH FLEMING, and
TANYA DAVIS,

defendants herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT TWENTY-EIGHT

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 12, 2004, at approximately 11:26 a.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
TANYA DAVIS,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-NINE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 12, 2004, at approximately 6:58 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
TANYA DAVIS,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 12, 2004, at approximately 7:00 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
JOSEPH FLEMING,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-ONE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, in the Northern District of Illinois, Eastern Division,

TANYA DAVIS,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing cocaine, a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-TWO

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally attempted to possess with intent to distribute a controlled substance, namely, mixtures containing cocaine, a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 846.

COUNT THIRTY-THREE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, in the Northern District of Illinois, Eastern Division,

JAMES CROSS,

defendant herein, knowingly and intentionally distributed a controlled substance, namely, mixtures containing cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-FOUR

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, in the Northern District of Illinois, Eastern Division,

MICHAEL EDWARDS,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, namely, mixtures containing cocaine base (in the form of crack cocaine), a Schedule II Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THIRTY-FIVE

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, at approximately 2:01 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MICHAEL EDWARDS,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SIX

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, at approximately 2:08 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MICHAEL EDWARDS,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SEVEN

The SPECIAL MAY 2004 GRAND JURY further charges:

On or about July 14, 2004, at approximately 2:29 p.m., at Chicago, Illinois, in the Northern District of Illinois, Eastern Division,

JAMES CROSS and
MICHAEL EDWARDS,

defendants herein, knowingly and intentionally did use a communication facility, namely a telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Sections 841(a)(1) and 846, namely, possession with intent to distribute mixtures containing cocaine base, distribution of mixtures containing cocaine base, and conspiracy to distribute and to possess with intent to distribute mixtures containing cocaine and cocaine base;

In violation of Title 21, United States Code, Section 843(b).

FORFEITURE ALLEGATION

The SPECIAL MAY 2004 GRAND JURY further charges:

1. The allegations of Count One of this indictment are re-alleged and fully incorporated herein for the purpose of alleging forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses in Count One of this indictment,

JAMES DISMUKES (aka "JD"),
MARCUS ROBINSON (aka "CK," "Cop Killer"),
TAISHA BROWNLEE,
MICHAEL EDWARDS,
JOSEPH FLEMING,
MILTON PATTERSON,
TANYA DAVIS (aka "Bonnie"), and
JAMES CROSS (aka "JC"),

defendants herein, have subjected to forfeiture to the United States, pursuant to Title 21, United States Code, Sections 853(a)(1) and (2), the following property and interests:

a. All property constituting or derived from the proceeds the defendants obtained, directly or indirectly, as a result of their violation of Title 21, United States Code, Section 846, as charged in this indictment.

b. All property used or intended to be used in any manner or part to commit or facilitate the commission of defendants' violation of Title 21, United States Code, Section 846, as charged in this indictment.

3. The interests of defendants, JAMES DISMUKES (aka "JD"), MARCUS ROBINSON (aka "CK," "Cop Killer"), TAISHA BROWNLEE, MICHAEL EDWARDS, JOSEPH FLEMING, MILTON PATTERSON, TANYA DAVIS (aka "Bonnie"), and JAMES CROSS (aka "JC"), that are

subject to forfeiture to the United States pursuant to Title 21, United States Code, Section 853, include, but are not limited to, the following:

a. \$60,000.

4. If any of the property described as being subject to forfeiture pursuant to Title 21, United States Code, Section 853(a), as a result of any act or omission of the defendants:

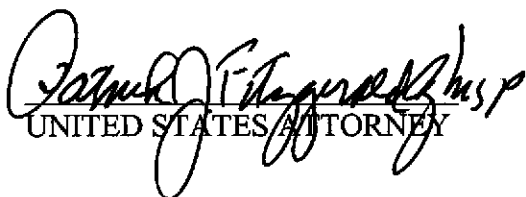
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. had been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:


FOREPERSON


UNITED STATES ATTORNEY

No. 04 CR 1090

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

VS.

JAMES DISMUKES (aka "JD"), et al.

I N D I C T M E N T

Violations: Title 21, United States
Code, Sections 846, 841(a),
and 843(b); and Title 18,
United States Code, Section

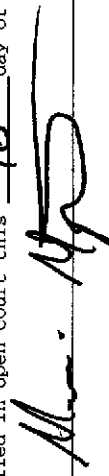
2

A true bill,



Foreman

Filed in open court this 10 day of March, A.D. 2005



MICHAEL W. ROBBINS
Clerk

Bail, \$ _____

PO 880.320